

## REMARKS

Claims 22-46 are currently pending in the application. Claims 1-21 have been canceled. Applicant has amended claims 22, 24, 33, and 43. Claims 27 and 46 have been canceled. Discussion of the amendments to claims 22, 24, 33, and 43 are below.

### Rejections

#### 35 U.S.C. § 112

Claim 46 is rejected because the Examiner states that the specification does not enable one of ordinary skill in the art to prepare a propylene polymer comprising isotactic and syndiotactic polymer blocks. To further facilitate prosecution, Applicant has canceled claim 46.

Claims 22-46 are rejected as being indefinite. Specifically, the Examiner states that the term “derivative” as used in claims 22, 33, and 43 is improper. Applicant, for clarification purposes, has amended claims 22, 33, and 43 to remove the reference to “derivative”. As currently amended, the claims more clearly state that the Cp<sup>1</sup> and Cp<sup>2</sup> are a substituted or unsubstituted cyclopentadienyl group, a substituted or unsubstituted indenyl group, or a substituted or unsubstituted fluorenyl group, and that at least one of Cp<sup>1</sup> and Cp<sup>2</sup> incorporates a nitrogen (N) or phosphorus (P) atom in its cyclopentadienyl ring. The cyclopentadienyl ring is as defined on page 3 of the specification. Applicant respectfully requests withdrawal of this rejection.

The Specification has been rejected. Applicant has addressed the Examiner's § 112 rejections and therefore believes that such rejection should be withdrawn.

#### 35 U.S.C. § 103(a)

Claims 22-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Katayama et al. (EP 0 741 145).

Applicant respectfully argues that Katayama does not teach, show, or suggest the currently pending claims. Applicant has amended claims 22, 24, 33, and 43 to state that at least one of Cp<sup>1</sup> and Cp<sup>2</sup> must be a fluorenyl group. Support for such amendments can be found at least at page 5, lines 6, 7, 9, and 10; page 7, last full paragraph and compounds VII-XI; page 9, and page 10, for example. Applicant has also canceled claim 27 in view of such amendments.

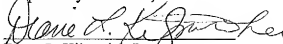
The Examiner states that "dimethylsilylindenyl triphenylphospholyl titantim dichloride" is disclosed in Katayama at page 5, line 34 to page 9, line 18. After an exhaustive and extensive review of Katayama, Applicant has not been able to locate where Katayama states the referenced catalyst component. In addition, an exhaustive and extensive review of Katayama does not disclose the use of phosphorus in any of the catalyst components. Paragraph [0004] of Katayama mentions references that comprise a phosphorous atom, but such references are present to distinguish Katayama. In addition, the Examiner directed Applicant in the Advisory Action of January 3, 2008, to page 5, line 58 and page 7 lines 12-14 of Katayama. After careful review of Applicant respectfully argues that the referenced portions still do not use a phosphorous atom or disclose a compound wherein at least one of  $Cp^1$  and  $Cp^2$  must be a fluorenyl group. Therefore, Katayama does not teach, show, disclose, or suggest, the presently claimed invention, particularly with regard to the use of phosphorus.

Katayama does not teach, show, disclose, or suggest the presently amended claims. Katayama does not disclose a catalyst system comprising a fluorenyl or the specific catalyst systems listed in claim 42. Applicant respectfully requests withdrawal of this rejection and allowance of the claims.

In conclusion, Applicant submits that the reference cited in the Office Action does not teach, show, or suggest the claimed features. Having addressed all issues set out in the Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests the same.

Date 01/22/08

Respectfully submitted,



Diane L. Kilpatrick-Lee

Registration No. 56,214

FINA TECHNOLOGY, INC.

P.O. Box 674412

Houston, Texas, 77267-4412

Telephone: 713-483-5390

Facsimile: 713-483-5384

Attorney for Applicant(s)